

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

MacKay Perry,  
*Plaintiff*

v.

NoCo Hospitality, LLC, Paolo  
Soriano, Charles Ferraro, Coleman  
Jamison,  
*Defendants*

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Case No. 1-24-CV-00366-JRN


**ORDER**

Before the Court is Wick Phillips’s unopposed motion to withdraw as counsel for NoCo Hospitality, LLC and Paolo Soriano. Dkt. 19. After considering the motion and the relevant law, the Court has determined that the motion should be denied.

“An attorney may withdraw from representation only upon leave of the court and a showing of good cause and reasonable notice to the client.” *In re Wynn*, 889 F.2d 644, 646 (5th Cir. 1989). The decision of whether an attorney may withdraw is “entrusted to the sound discretion of the court.” *Id.* (quotation omitted). To determine whether an attorney has good cause to withdraw, courts consider various factors, “including whether withdrawal would cause ‘undue delay in the proceedings’ or ‘prejudice to the client,’ and whether withdrawal is in ‘the interests of justice.’” *United States v. Carpenter*, No. MO:10-CR-00231(1)-RAJ, 2014 WL 12676191, at \*1 (W.D. Tex. Jan. 3, 2014) (quoting *Dorsey v. Portfolio Equities, Inc.*, No. 3:04-CV-0472–B, 2008 WL 4414526, at \*2 (N.D. Tex. Sept. 29, 2008))

In this case, the Court finds that the motion to withdraw should be denied because NoCo Hospitality, LLC and Paolo Soriano have not secured substitute counsel. Once these defendants have done so, the Court will be willing to grant this request. It is therefore ordered that the motion to withdraw is **DENIED**, but the motion will be taken under reconsideration when replacement counsel is identified.

SIGNED this 17th day of September, 2024.



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JAMES R. NOWLIN  
SENIOR U.S. DISTRICT JUDGE